

**EXHIBIT "B"**

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Attorney for Josef F. Boehm

IN THE UNITED STATES DISTRICT COURT  
FOR THE STATE OF ALASKA  
AT ANCHORAGE

**SALLY C. PURSER,**

Plaintiff,

v.

JOSEF F. BOEHM, ALLEN K.  
BOLLING and BAMBI TYREE

**Defendants.**

DEFENDANT JOSEF BOEHM'S RESPONSE  
TO PLAINTIFF'S THIRD SET OF  
DISCOVERY

**CASE NO. : 3:05-CV-0085-JKS**

### GENERAL STATEMENT

Responding Party has not fully completed his investigation of the facts relating to this case, has not fully completed his discovery in this action, and has not completed his preparation for trial. All of the Responses contained herein are based upon only such information and documents as are presently available to and specifically known to this Responding Party, and discloses only those contentions which presently occur to such Responding Party. It is anticipated that further discovery, independent investigation, legal research and

1 analysis will supply additional facts, adding meaning to known facts,  
2 as well as establish entirely new factual conclusions and legal  
3 contentions, all of which may lead to substantial additions to,  
4 changes in, and variations from the contentions set forth herein. The  
5 following Responses are given without prejudice to Responding Party's  
6 right to produce evidence of any subsequently discovered fact or  
7 facts, documents or tangible things, which this Responding Party may  
8 later recall or discover. Responding Party accordingly reserves the  
9 right to change any and all Responses herein as additional facts are  
10 ascertained, analyses are made, legal research is completed, and  
11 contentions are made. The Responses contained herein are made in a  
12 good faith effort to supply as much factual information, documents,  
13 tangible things, and as much specification of legal contentions as is  
14 presently known, and should in no way be to the prejudice of  
15 Responding Party in relation to further discovery, research or  
16 analysis.

17  
18  
19 **RESPONSE TO INTERROGATORIES**

20 **RESPONSE TO INTERROGATORY NUMBER 1**

21       Objection, irrelevant and not reasonably calculated to lead to  
22 the discovery of admissible evidence. Objection, overly broad.  
23 Objection, invasion of privacy. Objection, burdensome. Objection,  
24 requests confidential proprietary business information. Objection,  
25 Defendant's ability to pay is not a determining factor in which to  
26 prove liability or damages. Plaintiff's request is not relevant to  
27 determine Defendant's liability nor is it relevant to prove  
28 Plaintiff's damages.

1 The request seeks financial information which was the subject  
2 of plaintiff's motion to compel. The Honorable Judge Singleton  
3 denied plaintiff's motion in its entirety by Order dated November  
4 9, 2006. Plaintiff's requests are therefore burdensome, harassing  
5 and made in bad faith.

6 **RESPONSE TO INTERROGATORY NUMBER 2**

7 Objection, irrelevant and not reasonably calculated to lead to  
8 the discovery of admissible evidence. Objection, overly broad.  
9 Objection, invasion of privacy. Objection, burdensome. Objection,  
10 requests confidential proprietary business information. Objection,  
11 Defendant's ability to pay is not a determining factor in which to  
12 prove liability or damages. Plaintiff's request is not relevant to  
13 determine Defendant's liability nor is it relevant to prove  
14 Plaintiff's damages.

15 The request seeks financial information which was the subject  
16 of plaintiff's motion to compel. The Honorable Judge Singleton  
17 denied plaintiff's motion in its entirety by Order dated November  
18 9, 2006. Plaintiff's requests are therefore burdensome, harassing  
19 and made in bad faith.

20 **RESPONSE TO INTERROGATORY NUMBER 3**

21 Objection, irrelevant and not reasonably calculated to lead to  
22 the discovery of admissible evidence. Objection, overly broad.  
23 Objection, invasion of privacy. Objection, burdensome. Objection,  
24 requests confidential proprietary business information.

25 Plaintiff's request is not relevant to determine Defendant's  
26 liability nor is it relevant to prove Plaintiff's damages.

27 Without waiving the aforementioned objections, responding  
28 party responds as follows:

Responding party knows the identity of the named individuals.

1 **RESPONSE TO INTERROGATORY NUMBER 4**

2       Objection, irrelevant and not reasonably calculated to lead to  
3 the discovery of admissible evidence. Objection, overly broad.  
4 Objection, invasion of privacy. Objection, burdensome. Objection,  
5 requests confidential proprietary business information. Objection,  
6 Defendant's ability to pay is not a determining factor in which to  
7 prove liability or damages. Plaintiff's request is not relevant to  
8 determine Defendant's liability nor is it relevant to prove  
9 Plaintiff's damages.

10       The request seeks financial information which was the subject  
11 of plaintiff's motion to compel. The Honorable Judge Singleton  
12 denied plaintiff's motion in its entirety by Order dated November  
13 9, 2006. Plaintiff's requests are therefore burdensome, harassing  
14 and made in bad faith.

15 **RESPONSE TO INTERROGATORY NUMBER 5**

16       Objection, irrelevant and not reasonably calculated to lead to  
17 the discovery of admissible evidence. Objection, overly broad.  
18 Objection, invasion of privacy. Objection, burdensome. Objection,  
19 requests confidential proprietary business information.

20       Plaintiff's request is not relevant to determine Defendant's  
21 liability nor is it relevant to prove Plaintiff's damages.

22       Without waiving the aforementioned objections, responding  
23 party responds as follows:

24       Responding party knows the identity of the named individuals.

25  
26 **RESPONSE TO REQUEST FOR PRODUCTION**

27 **RESPONSE TO REQUEST FOR PRODUCTION NUMBER 1:**

28       Objection, irrelevant and not reasonably calculated to lead to  
the discovery of admissible evidence. Objection, overly broad.

1 Objection, invasion of privacy. Objection, burdensome. Objection,  
2 requests confidential proprietary business information. Objection,  
3 Defendant's ability to pay is not a determining factor in which to  
4 prove liability or damages. Plaintiff's request is not relevant to  
5 determine Defendant's liability nor is it relevant to prove  
6 Plaintiff's damages.

7 The request seeks financial information which was the subject  
8 of plaintiff's motion to compel. The Honorable Judge Singleton  
9 denied plaintiff's motion in its entirety by Order dated November  
10 9, 2006. Plaintiff's requests are therefore burdensome, harassing  
11 and made in bad faith.

12 **RESPONSE TO REQUEST FOR PRODUCTION NUMBER 2:**

13 Objection, irrelevant and not reasonably calculated to lead to  
14 the discovery of admissible evidence. Objection, overly broad.  
15 Objection, invasion of privacy. Objection, burdensome. Objection,  
16 requests confidential proprietary business information. Objection,  
17 Defendant's ability to pay is not a determining factor in which to  
18 prove liability or damages. Plaintiff's request is not relevant to  
19 determine Defendant's liability nor is it relevant to prove  
20 Plaintiff's damages.

21 The request seeks financial information which was the subject  
22 of plaintiff's motion to compel. The Honorable Judge Singleton  
23 denied plaintiff's motion in its entirety by Order dated November  
24 9, 2006. Plaintiff's requests are therefore burdensome, harassing  
25 and made in bad faith.

26 **RESPONSE TO REQUEST FOR PRODUCTION NUMBER 3:**

27 Objection, irrelevant and not reasonably calculated to lead to  
28 the discovery of admissible evidence. Objection, overly broad.  
Objection, invasion of privacy. Objection, burdensome. Objection,

1 requests confidential proprietary business information. Objection,  
2 Defendant's ability to pay is not a determining factor in which to  
3 prove liability or damages. Plaintiff's request is not relevant to  
4 determine Defendant's liability nor is it relevant to prove  
5 Plaintiff's damages.

6 The request seeks financial information which was the subject  
7 of plaintiff's motion to compel. The Honorable Judge Singleton  
8 denied plaintiff's motion in its entirety by Order dated November  
9 9, 2006. Plaintiff's requests are therefore burdensome, harassing  
10 and made in bad faith.

11 **RESPONSE TO REQUEST FOR PRODUCTION NUMBER 4:**

12 Objection, irrelevant and not reasonably calculated to lead to  
13 the discovery of admissible evidence. Objection, overly broad.  
14 Objection, invasion of privacy. Objection, burdensome. Objection,  
15 requests confidential proprietary business information. Objection,  
16 Defendant's ability to pay is not a determining factor in which to  
17 prove liability or damages. Plaintiff's request is not relevant to  
18 determine Defendant's liability nor is it relevant to prove  
19 Plaintiff's damages.

20 The request seeks financial information which was the subject  
21 of plaintiff's motion to compel. The Honorable Judge Singleton  
22 denied plaintiff's motion in its entirety by Order dated November  
23 9, 2006. Plaintiff's requests are therefore burdensome, harassing  
24 and made in bad faith.

25 **RESPONSE TO REQUEST FOR PRODUCTION NUMBER 5:**

26 Objection, irrelevant and not reasonably calculated to lead to  
27 the discovery of admissible evidence. Objection, overly broad.  
28 Objection, invasion of privacy. Objection, burdensome. Objection,  
requests confidential proprietary business information. Objection,

1 Defendant's ability to pay is not a determining factor in which to  
2 prove liability or damages. Plaintiff's request is not relevant to  
3 determine Defendant's liability nor is it relevant to prove  
4 Plaintiff's damages.

5 The request seeks financial information which was the subject  
6 of plaintiff's motion to compel. The Honorable Judge Singleton  
7 denied plaintiff's motion in its entirety by Order dated November  
8 9, 2006. Plaintiff's requests are therefore burdensome, harassing  
9 and made in bad faith.

10 **RESPONSE TO REQUEST FOR PRODUCTION NUMBER 6:**

11 Objection, irrelevant and not reasonably calculated to lead to  
12 the discovery of admissible evidence. Objection, overly broad.  
13 Objection, invasion of privacy. Objection, burdensome. Objection,  
14 requests confidential proprietary business information. Objection,  
15 Defendant's ability to pay is not a determining factor in which to  
16 prove liability or damages. Plaintiff's request is not relevant to  
17 determine Defendant's liability nor is it relevant to prove  
18 Plaintiff's damages.

19 The request seeks financial information which was the subject  
20 of plaintiff's motion to compel. The Honorable Judge Singleton  
21 denied plaintiff's motion in its entirety by Order dated November  
22 9, 2006. Plaintiff's requests are therefore burdensome, harassing  
23 and made in bad faith.

24 **RESPONSE TO REQUEST FOR PRODUCTION NUMBER 7:**

25 Objection, irrelevant and not reasonably calculated to lead to  
26 the discovery of admissible evidence. Objection, overly broad.  
27 Objection, invasion of privacy. Objection, burdensome. Objection,  
28 requests confidential proprietary business information. Objection,  
Defendant's ability to pay is not a determining factor in which to



1 prove liability or damages. Plaintiff's request is not relevant to  
2 determine Defendant's liability nor is it relevant to prove  
3 Plaintiff's damages.

4 The request seeks financial information which was the subject  
5 of plaintiff's motion to compel. The Honorable Judge Singleton  
6 denied plaintiff's motion in its entirety by Order dated November  
7 9, 2006. Plaintiff's requests are therefore burdensome, harassing  
8 and made in bad faith.

9 **RESPONSE TO REQUEST FOR PRODUCTION NUMBER 8:**

10 Objection, irrelevant and not reasonably calculated to lead to  
11 the discovery of admissible evidence. Objection, overly broad.  
12 Objection, invasion of privacy. Objection, burdensome. Objection,  
13 requests confidential proprietary business information. Objection,  
14 Defendant's ability to pay is not a determining factor in which to  
15 prove liability or damages. Plaintiff's request is not relevant to  
16 determine Defendant's liability nor is it relevant to prove  
17 Plaintiff's damages.

18 The request seeks financial information which was the subject  
19 of plaintiff's motion to compel. The Honorable Judge Singleton  
20 denied plaintiff's motion in its entirety by Order dated November  
21 9, 2006. Plaintiff's requests are therefore burdensome, harassing  
22 and made in bad faith.

23 **RESPONSE TO REQUEST FOR PRODUCTION NUMBER 9:**

24 Objection, irrelevant and not reasonably calculated to lead to  
25 the discovery of admissible evidence. Objection, overly broad.  
26 Objection, invasion of privacy. Objection, burdensome. Objection,  
27 requests confidential proprietary business information. Objection,  
28 Defendant's ability to pay is not a determining factor in which to  
prove liability or damages. Plaintiff's request is not relevant to

1 determine Defendant's liability nor is it relevant to prove  
2 Plaintiff's damages.

3 The request seeks financial information which was the subject  
4 of plaintiff's motion to compel. The Honorable Judge Singleton  
5 denied plaintiff's motion in its entirety by Order dated November  
6 9, 2006. Plaintiff's requests are therefore burdensome, harassing  
7 and made in bad faith.

8 **RESPONSE TO REQUEST FOR PRODUCTION NUMBER 10:**

9 Objection, irrelevant and not reasonably calculated to lead to  
10 the discovery of admissible evidence. Objection, overly broad.  
11 Objection, invasion of privacy. Objection, burdensome. Objection,  
12 requests confidential proprietary business information. Objection,  
13 Defendant's ability to pay is not a determining factor in which to  
14 prove liability or damages. Plaintiff's request is not relevant to  
15 determine Defendant's liability nor is it relevant to prove  
16 Plaintiff's damages.

17 The request seeks financial information which was the subject  
18 of plaintiff's motion to compel. The Honorable Judge Singleton  
19 denied plaintiff's motion in its entirety by Order dated November  
20 9, 2006. Plaintiff's requests are therefore burdensome, harassing  
21 and made in bad faith.

22 **RESPONSE TO REQUEST FOR PRODUCTION NUMBER 11:**

23 Objection, irrelevant and not reasonably calculated to lead to  
24 the discovery of admissible evidence. Objection, overly broad.  
25 Objection, invasion of privacy. Objection, burdensome. Objection,  
26 requests confidential proprietary business information. Objection,  
27 Defendant's ability to pay is not a determining factor in which to  
28 prove liability or damages. Plaintiff's request is not relevant to

1 determine Defendant's liability nor is it relevant to prove  
2 Plaintiff's damages.

3 The request seeks financial information which was the subject  
4 of plaintiff's motion to compel. The Honorable Judge Singleton  
5 denied plaintiff's motion in its entirety by Order dated November  
6 9, 2006. Plaintiff's requests are therefore burdensome, harassing  
7 and made in bad faith.

8 **RESPONSE TO REQUEST FOR PRODUCTION NUMBER 12:**

9 Objection, irrelevant and not reasonably calculated to lead to  
10 the discovery of admissible evidence. Objection, overly broad.  
11 Objection, invasion of privacy. Objection, burdensome. Objection,  
12 requests confidential proprietary business information. Objection,  
13 Defendant's ability to pay is not a determining factor in which to  
14 prove liability or damages. Plaintiff's request is not relevant to  
15 determine Defendant's liability nor is it relevant to prove  
16 Plaintiff's damages.

17 The request seeks financial information which was the subject  
18 of plaintiff's motion to compel. The Honorable Judge Singleton  
19 denied plaintiff's motion in its entirety by Order dated November  
20 9, 2006. Plaintiff's requests are therefore burdensome, harassing  
21 and made in bad faith.

22 **RESPONSE TO REQUESTS FOR ADMISSION**

23 **RESPONSE TO REQUEST NUMBER 1:**

24 Objection, irrelevant and not reasonably calculated to lead to  
25 the discovery of admissible evidence. Objection, overly broad.  
26 Objection, invasion of privacy. Objection, burdensome. Objection,  
27 requests confidential proprietary business information. Objection,  
28 Defendant's ability to pay is not a determining factor in which to  
prove liability or damages. Plaintiff's request is not relevant to

1 determine Defendant's liability nor is it relevant to prove  
2 Plaintiff's damages.

3 The request seeks financial information which was the subject  
4 of plaintiff's motion to compel. The Honorable Judge Singleton  
5 denied plaintiff's motion in its entirety by Order dated November  
6 9, 2006. Plaintiff's requests are therefore burdensome, harassing  
7 and made in bad faith.

8 **RESPONSE TO REQUEST NUMBER 2:**

9 Objection, irrelevant and not reasonably calculated to lead to  
10 the discovery of admissible evidence. Objection, overly broad.  
11 Objection, invasion of privacy. Objection, burdensome. Objection,  
12 requests confidential proprietary business information. Objection,  
13 Defendant's ability to pay is not a determining factor in which to  
14 prove liability or damages. Plaintiff's request is not relevant to  
15 determine Defendant's liability nor is it relevant to prove  
16 Plaintiff's damages.

17 The request seeks financial information which was the subject  
18 of plaintiff's motion to compel. The Honorable Judge Singleton  
19 denied plaintiff's motion in its entirety by Order dated November  
20 9, 2006. Plaintiff's requests are therefore burdensome, harassing  
21 and made in bad faith.

22 **RESPONSE TO REQUEST NUMBER 3:**

23 Objection, irrelevant and not reasonably calculated to lead to  
24 the discovery of admissible evidence. Objection, overly broad.  
25 Objection, invasion of privacy. Objection, burdensome. Objection,  
26 requests confidential proprietary business information. Objection,  
27 Defendant's ability to pay is not a determining factor in which to  
28 prove liability or damages. Plaintiff's request is not relevant to

1 determine Defendant's liability nor is it relevant to prove  
2 Plaintiff's damages.

3 The request seeks financial information which was the subject  
4 of plaintiff's motion to compel. The Honorable Judge Singleton  
5 denied plaintiff's motion in its entirety by Order dated November  
6 9, 2006. Plaintiff's requests are therefore burdensome, harassing  
7 and made in bad faith.

8 **RESPONSE TO REQUEST NUMBER 4:**

9 Objection, irrelevant and not reasonably calculated to lead to  
10 the discovery of admissible evidence. Objection, overly broad.  
11 Objection, invasion of privacy. Objection, burdensome. Objection,  
12 requests confidential proprietary business information. Objection,  
13 not a proper request as the subject matter of this request is a  
14 public record. Objection, Plaintiff's request is not relevant to  
15 determine Defendant's liability nor is it relevant to prove  
16 Plaintiff's damages.

17  
18 Without waiving the aforementioned objections, Responding  
19 party responds as follows:

20 I admit to entering into a plea agreement that made no  
21 specific reference to Sally Purser. The plea agreement does not  
22 contain language setting forth the elements required to be  
23 established to prove liability as it relates to plaintiff's causes  
24 of action. The validity of the plea agreement is currently subject  
25 to dispute.

26 **RESPONSE TO REQUEST NUMBER 5:**

27 Objection, irrelevant and not reasonably calculated to lead to  
28 the discovery of admissible evidence. Objection, overly broad.  
Objection, invasion of privacy. Objection, burdensome. Objection,

1 requests confidential proprietary business information. Objection,  
2 Defendant's ability to pay is not a determining factor in which to  
3 prove liability or damages. Plaintiff's request is not relevant to  
4 determine Defendant's liability nor is it relevant to prove  
5 Plaintiff's damages.

6 The request seeks financial information which was the subject  
7 of plaintiff's motion to compel. The Honorable Judge Singleton  
8 denied plaintiff's motion in its entirety by Order dated November  
9 9, 2006. Plaintiff's requests are therefore burdensome, harassing  
10 and made in bad faith.

11 **RESPONSE TO REQUEST NUMBER 6:**

12 Objection, irrelevant and not reasonably calculated to lead to  
13 the discovery of admissible evidence. Objection, overly broad.  
14 Objection, invasion of privacy. Objection, burdensome. Objection,  
15 requests confidential proprietary business information. Objection,  
16 Defendant's ability to pay is not a determining factor in which to  
17 prove liability or damages. Plaintiff's request is not relevant to  
18 determine Defendant's liability nor is it relevant to prove  
19 Plaintiff's damages.

20 The request seeks financial information which was the subject  
21 of plaintiff's motion to compel. The Honorable Judge Singleton  
22 denied plaintiff's motion in its entirety by Order dated November  
23 9, 2006. Plaintiff's requests are therefore burdensome, harassing  
24 and made in bad faith.

25 **RESPONSE TO REQUEST NUMBER 7:**

26 Objection, irrelevant and not reasonably calculated to lead to  
27 the discovery of admissible evidence. Objection, overly broad.  
28 Objection, invasion of privacy. Objection, burdensome. Objection,  
requests confidential proprietary business information. Objection,

1 Defendant's ability to pay is not a determining factor in which to  
2 prove liability or damages. Plaintiff's request is not relevant to  
3 determine Defendant's liability nor is it relevant to prove  
4 Plaintiff's damages.

5 The request seeks financial information which was the subject  
6 of plaintiff's motion to compel. The Honorable Judge Singleton  
7 denied plaintiff's motion in its entirety by Order dated November  
8 9, 2006. Plaintiff's requests are therefore burdensome, harassing  
9 and made in bad faith.

10 **RESPONSE TO REQUEST NUMBER 8:**

11 Objection, irrelevant and not reasonably calculated to lead to  
12 the discovery of admissible evidence. Objection, overly broad.  
13 Objection, invasion of privacy. Objection, burdensome. Objection,  
14 requests confidential proprietary business information. Objection,  
15 Defendant's ability to pay is not a determining factor in which to  
16 prove liability or damages. Plaintiff's request is not relevant to  
17 determine Defendant's liability nor is it relevant to prove  
18 Plaintiff's damages.

19 The request seeks financial information which was the subject  
20 of plaintiff's motion to compel. The Honorable Judge Singleton  
21 denied plaintiff's motion in its entirety by Order dated November  
22 9, 2006. Plaintiff's requests are therefore burdensome, harassing  
23 and made in bad faith.

24 **RESPONSE TO REQUEST NUMBER 9:**

25 Deny

26 **RESPONSE TO REQUEST NUMBER 10:**

27 Deny

28 **RESPONSE TO REQUEST NUMBER 11:**

Deny

1 RESPONSE TO REQUEST NUMBER 12:

2 Deny

3 RESPONSE TO REQUEST NUMBER 13:

4 Deny

5 RESPONSE TO REQUEST NUMBER 14:

6 Deny

7 RESPONSE TO REQUEST NUMBER 15:

8 Deny

9 RESPONSE TO REQUEST NUMBER 16:

10 Deny

11 RESPONSE TO REQUEST NUMBER 17:

12 Deny

13 RESPONSE TO REQUEST NUMBER 18:

14 Deny

15 RESPONSE TO REQUEST NUMBER 19:

16 Deny

17 RESPONSE TO REQUEST NUMBER 20:

18 Deny

19 RESPONSE TO REQUEST NUMBER 21:

20 Admit

21 RESPONSE TO REQUEST NUMBER 22:

22 Deny

23 RESPONSE TO REQUEST NUMBER 23:

24 Deny

25 RESPONSE TO REQUEST NUMBER 24:

26 Deny

27 RESPONSE TO REQUEST NUMBER 25:

28 Deny

RESPONSE TO REQUEST NUMBER 26:



1 Deny

2 RESPONSE TO REQUEST NUMBER 27:

3 Deny

4

5 RESPONSE TO REQUEST NUMBER 28:

6 Deny

7 RESPONSE TO REQUEST NUMBER 29:

8 Deny

9 RESPONSE TO REQUEST NUMBER 30:

10 Deny

11 RESPONSE TO REQUEST NUMBER 31:

12 Admit

13 RESPONSE TO REQUEST NUMBER 32:

14 Deny

15 RESPONSE TO REQUEST NUMBER 33:

16 Deny

17 RESPONSE TO REQUEST NUMBER 34:

18 Deny

19 RESPONSE TO REQUEST NUMBER 35:

20 Deny

21 RESPONSE TO REQUEST NUMBER 36:

22 Deny

23 RESPONSE TO REQUEST NUMBER 37:

24 Deny

25 RESPONSE TO REQUEST NUMBER 38:

26 Deny

27 RESPONSE TO REQUEST NUMBER 39:

28 Admit to the extent the home was equipped with a security  
system that was damaged and became inoperable.

1 **RESPONSE TO REQUEST NUMBER 40:**

2       Objection, irrelevant and not reasonably calculated to lead to  
3 the discovery of admissible evidence. Objection, overly broad.  
4 Objection, invasion of privacy. Objection, burdensome. Objection,  
5 requests confidential proprietary business information. Objection,  
6 Defendant's ability to pay is not a determining factor in which to  
7 prove liability or damages. Plaintiff's request is not relevant to  
8 determine Defendant's liability nor is it relevant to prove  
9 Plaintiff's damages.

10       The request seeks financial information which was the subject  
11 of plaintiff's motion to compel. The Honorable Judge Singleton  
12 denied plaintiff's motion in its entirety by Order dated November  
13 9, 2006. Plaintiff's requests are therefore burdensome, harassing  
14 and made in bad faith.

15 **RESPONSE TO REQUEST NUMBER 41:**

16       Objection, calls for a legal conclusion. Objection, the  
17 document referred to in the criminal case speaks for itself.

18 **RESPONSE TO REQUEST NUMBER 42:**

19       Objection, irrelevant and not reasonably calculated to lead to  
20 the discovery of admissible evidence. Objection, overly broad.  
21 Objection, invasion of privacy. Objection, burdensome. Objection,  
22 requests confidential proprietary business information. Objection,  
23 Defendant's ability to pay is not a determining factor in which to  
24 prove liability or damages. Plaintiff's request is not relevant to  
25 determine Defendant's liability nor is it relevant to prove  
26 Plaintiff's damages.

27       The request seeks financial information which was the subject  
28 of plaintiff's motion to compel. The Honorable Judge Singleton  
denied plaintiff's motion in its entirety by Order dated November

1 9, 2006. Plaintiff's requests are therefore burdensome, harassing  
2 and made in bad faith.

3 **RESPONSE TO REQUEST NUMBER 43:**

4 Objection, irrelevant and not reasonably calculated to lead to  
5 the discovery of admissible evidence. Objection, overly broad.  
6 Objection, invasion of privacy. Objection, calls for legal  
7 conclusion.

8  
9 December 18, 2006

KENNER LAW FIRM, A.P.C.

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11  
12 By: 

13 DAVID E. KENNER, ESQ.  
14 Attorney for Josef Boehm  
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of December, 2006. I caused a true and correct copy of the foregoing RESPONSE TO PLAINTIFF'S SECOND SET OF DISCOVERY REQUESTS to be delivered to the following via United States Certified Mail:

Bambi Tyree  
c/o Mary Pate, Esq.  
425 G. Sreet, Suite 930  
Anchorage, Alaska 99501

Allen K. Bolling  
Inmate No: 14911-006  
USP Terre Haute  
U.S. Penitentiary  
P.O. Box 12015  
Terre Haute, IN 47801  
C.M. 7002 2410 0006 6742 2188

Darryl L. Jones, Esq.  
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(907) 562-8977 - fax

Leslie Williams  
Inmate No: 14903-006  
FCI Yazoo City Medium  
P.O. Box 5888  
Yazoo City, MS 39194

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Date: December 18, 2006

  
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Amy Joshua

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